

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 31, 2008

DIVISION ONE

B192049 Ahrens et al. (Not for Publication)
 v.
 University of La Verne

The judgment is affirmed. Respondent shall recover its costs of appeal.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B199514 People (Not for Publication)
 v.
 Gabriel Camey

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

DIVISION ONE (continued)

B197483 People (Not for Publication)

V.

Carlos Enrique Gutierrez

The judgment is affirmed.

Mallano, Acting P.J.

We concur: Vogel (Miriam A.), J.
Jackson, J. (Assigned)

B196575 People (Not for Publication)

V.

Herman Mitchell

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Jackson, J. (Assigned)

B194649 Cimarusti et al.

V.

Transcontinental Insurance Company

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

B197008 People (Not for Publication)
v.
Nicholas B.

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION THREE

B200692 Clearwater Insurance Company (Not for Publication)
v.
Superior Court, Los Angeles County
(Allianz Global Corporate and Specialty Company et al, rpi.,

The petition for writ of mandate is granted. The superior Court is directed to set aside its order compelling arbitration. Petitioner is to recover its costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B195632 People (Not for Publication)
v.
David R.

The order of wardship is modified by striking the juvenile court's calculation of appellant's maximum theoretical period of confinement and, as modified, the order of wardship is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B194037 McClain etc. (Certified for Publication)
v.
Octagon Plaza, LLC

The judgment is reversed solely with respect to McClain’s claims for misrepresentation, an accounting, and declaratory relief, and the matter is remanded for further proceedings in accordance with this opinion. The judgment is otherwise affirmed in all other respects. The parties are to bear their own costs on appeal.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FOUR (continued)

B197441 Los Angeles County, D.C.S. (Not for Publication)
v.
Delfino P.

The jurisdictional order is reversed to the extent it finds that Delfino and
rudy are dependents of the court under section 300, subdivision (d).

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

DIVISION FIVE

B197490 Virginia Surety, Inc. (Not for Publication)
v.
Workers Compensation Appeals Board (Larry Wragg)

The decision of the Worker's Compensation Appeals Board is affirmed.
The petition is denied. The parties shall bear their own costs.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B198523 Melissa Burnam (Not for Publication)
v.
Arvin Taneja et al

The judgment is reversed. Appellant(s) to recover costs.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION FIVE (continued)

B193847 Lilitati Sharma (Not for Publication)

v.

A. Michael Pardue

The June 14, 2006 order awarding costs is modified to grant the motion to tax costs as to costs of \$167.46 and deny it as to costs of \$1048.66. As modified, the judgment is affirmed. Parties to bear own costs on appeal.

Kriegler, J.

We concur: Armstrong, Acting P.J.

 Mosk, J.

B199958 Los Angeles County, D.C.S. (Not for Publication)

v.

Maria O.

In re Mary C. et al.,

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.

 Armstrong, J.

B201106 Los Angeles County, D.C.S. (Not for Publication)

v.

Joseph H.

In re Joanne H.,

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.

 Mosk, J.

DIVISION FIVE (continued)

B199707 People (Not for Publication)
v.
Leon Orellana

The abstract of judgment is ordered corrected to reflect that the consecutive sentence in count 3 for violation of Vehicle Code section 10851, subdivision (a), was one-third of the middle term. The abstract is ordered corrected to reflect the imposition of a separate \$20 security fee pursuant to Penal Code section 1465.8 as to count 2 and 3. The trial court shall direct delivery of the corrected abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

DIVISION SIX

B199221 In re Karcher (Not for Publication)
On
Habeas Corpus.

The order granting Karcher's petition for a writ of habeas corpus is affirmed. The stay issued pursuant to section 1507 is dissolved.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

January 31, 2008 (Continued)

DIVISION SEVEN

Court convened at 9:30 a.m.

Present: Perluss, P.J., Woods, J., Zelon, J., Wiley, J. (Assigned) and Eva McClintock, Deputy Clerk.

B196690 People
 v.
 McCoy

Merits:
Argued by Tara Allen for appellant and by Tannaz Kouhpainezhad, Deputy Attorney General for respondent. Cause submitted.

Court adjourned.

B197400 People
 v.
 Parks

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Flier, J., Egerton, J. (Assigned) and Connie Hon, Deputy Clerk.

B193733 People
 v.
 Marquez

Matter ordered off calendar.

DIVISION EIGHT (continued)

B196300 People
 v.
 Andherson B.,

Merits:
Argued by Iris Roe, Certified Law Student for appellant and by Dana M. Ali, Deputy Attorney General for respondent. Cause submitted.

B194066 Rodriquez
 v.
 Blue Cross Of California et al.,

Merits:
Argued by Thomas Peterson for appellants and by Andrew Chang for respondent. Cause submitted.

B195879 Castaneda,
 v.
 Denny's Restaurant et al.,

Merits:
Argued by Henry W. Bockman for appellant and by Diane Matsinger for respondents. Cause submitted.

Rubin, J., left the bench.

B195253 Best Interiors, Inc., et al.,
 v.
 Millie & Severson, Inc., et al.,

Merits:
Argued by Douglas Benedon for appellants and by Gregory Rippetoe and by Jeffrey Baird for respondents. Cause submitted.

Rubin, J. returned to the bench.

DIVISION EIGHT (continued)

Cooper, P.J. left the bench.

B197959 Wayne,
v.
DHL Worldwide Express, Inc.,

Merits:

Argued by Henry Rossbacher for appellant and by D. Barclay Edmundson for respondent. Cause submitted.

Egerton, J. (assigned) left the bench.

B187173 Miller et al.
B191349 v.
American Greetings Corporation et al.

Merits:

Argued by Maryann Gallagher for appellants and by John Stumreiter for respondents. Cause submitted.

Court adjourned.

B192787 People (Not for Publication)
v.
James Sklavos

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.